

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, a public body politic and corporate, duly organized and existing pursuant to the provisions of the Housing Authority Law of the Commonwealth of Massachusetts (appearing in Massachusetts General Laws (Ter. Ed.) Chapter 121, as amended) and having its principal office in Boston, Suffolk County, Massachusetts, in pursuance of its powers as set out in said Housing Authority Law and every other power thereunto enabling determined that the area or areas hereinafter described within the City of Boston constitute a substandard and decadent area as defined in Section 26J of the Housing Authority Law, and further determined in accordance with Sections 26KK and 26ZZ of said Law and all other powers granted by said Chapter 121 that a project for the assembly and renewal of said area, hereinafter called the "North Harvard Urban Renewal Area," described in "Annex A" ought to be undertaken in said City; and

WHEREAS, on September 26, 1962, the Redevelopment Authority approved and adopted an Urban Renewal Plan, as defined in said section 121, for the renewal of said area, said plan being entitled, "North Harvard Project, Mass. R-54, Property Map, Boston Redevelopment Authority, Boston, Suffolk County, Massachusetts"; and

WHEREAS, the Authority acting as the Planning Board of said City, the City Council of said City, and the State Housing Board have severally approved said Renewal Plan and project and made appropriate findings in connection therewith, all in accordance with the provisions of law; and

WHEREAS, the City of Boston and said Redevelopment Authority have entered into an agreement, dated April 26, 1963, and entitled, "Cooperation Agreement," providing among other things for a contribution by said City in connection with the carrying out and completion of said Urban Renewal Plan; and

WHEREAS, public hearings on said Urban Renewal Plan and North Harvard Project have been held, after due notice, including public hearings by the said Redevelopment Authority;

WHEREAS, the Boston Redevelopment Authority, with the written approval of the Mayor of the City of Boston and the State Housing Board, has entered into a Loan and Grant Contract, dated July 29, 1964, with the Housing and Home Finance Agency under Title I of the Housing Act of 1949, as amended, providing for Federal financial assistance in connection with the carrying out and execution of said Urban Renewal Plan; and

WHEREAS, the Redevelopment Authority has determined that the taking in fee simple by eminent domain of said area, as hereinafter described, is necessary and reasonably required to carry out the purposes of the Housing Authority Law and said Urban Renewal Plan; and

WHEREAS, the Redevelopment Authority in accordance with the provisions of Section 26P, subparagraph (b), of said Housing Authority Law has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by General Laws (Ter. Ed.) Chapter 79, Section 40.

NOW, THEREFORE, ORDERED that the Boston Redevelopment Authority, acting under the provisions of the Housing Authority Law and without limiting the generality of the foregoing section 26P, subparagraph (b), of General Laws (Ter. Ed.) Chapter 121, and all other authority thereunto enabling, and pursuant to the applicable provisions

of General Laws (Ter. Ed.) Chapter 79, and of any and every other power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain for the purposes hereinbefore set forth, the area or areas located in the City of Boston as hereinafter described, including all parcels of land therein, together with any and all easements and rights appurtenant thereto, including the trees, buildings and other structures standing upon or affixed thereto, and including the fee to the center of any and all public streets, highways and public ways, contiguous and adjacent to said area or areas, except any and all easements of travel in and to any and all public streets, highways, and public ways in said area or areas or contiguous and adjacent thereto, being bounded and described in "Annex A" attached hereto and made a part hereof as though incorporated herein in full and being shown on a plan entitled, "North Harvard Project, Mass. R-54, Property Map, Boston Redevelopment Authority, Boston, Suffolk County, Massachusetts".

AND FURTHER ORDERED that in accordance with the provisions of the General Laws, Chapter 79, as amended, awards are made by the BOSTON REDEVELOPMENT AUTHORITY for damages sustained by the owner or owners and all other persons including all mortgagees of record having any and all interest in each parcel of the areas described in "Annex A" and entitled to any damages by reason of the taking hereby made; the word, "Parcel" as herein used being construed to mean any contiguous tract of land in the same ownership, whether or not such tract consists of one or more platted lots or a fractional part thereof. Checks for the payment of damages shall issue within sixty days from the recording of this Order of Taking. The Boston Redevelopment Authority reserves the right to amend the award or to increase the amount of damages to be paid at any time prior to the payment thereof for good cause shown.

The awards hereby made are set forth in "Annex B," which Annex B is not to be recorded in the Registry of Deeds with this Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this Order of Taking (without "Annex B") to be recorded in the office of the Suffolk County Registry of Deeds.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the Corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

Dated: NOV. 19 1964

BOSTON REDEVELOPMENT AUTHORITY

By:

Francis J. Lally
Francis J. Lally

Stephen E. McCloskey
Stephen E. McCloskey

James G. Colbert
James G. Colbert

Melvin J. Massucco
Melvin J. Massucco

George P. Condakes
George P. Condakes

Attest:

Klaus J. Danner

Secretary of the Boston Redevelopment Authority

ANNEX A
NORTH HARVARD URBAN RENEWAL AREA
DESCRIPTION

That piece of land situated in the Brighton section of the City of Boston, bounded and described as follows:

Beginning at a point, said point being at the intersection of south-easterly sideline of North Harvard Street and the northerly sideline of Western Avenue and running northeasterly by the southeasterly sideline of North Harvard Street to the northeasterly sideline of Smith Street;

Thence turning and running southeasterly by the northeasterly sideline of Smith Street to a point, said point being the intersection of a line drawn from the northwesterly corner of the property of the New England Deposit Library through the point of intersection of the centerlines of Smith Street which runs northwesterly and southeasterly and Smith Street which runs northeasterly and southwesterly, with the aforementioned northeasterly sideline of Smith Street;

Thence turning and running southerly by the above-described line across Smith Street to a point of intersection with the southeasterly sideline of that portion of Smith Street which was northeasterly and southwesterly;

Thence turning and running southwesterly by the southeasterly sideline of Smith Street to the point of intersection with the southwesterly property line of land of the President & Fellows of Harvard College, which is also the northeasterly property line of land of the Massachusetts Bay Telecasters, Inc.;

Thence turning and running southeasterly by the southwesterly property line of the land of the President & Fellows of Harvard College, which is also the northeasterly property line of land of the Massachusetts Bay Telecasters, Inc., to the northwest corner of land of the New England Deposit Library;

Thence turning and running southerly by the westerly property line of land of the New England Deposit Library, which is also the easterly property line of land of the President & Fellows of Harvard College, to the northerly sideline of Western Avenue;

Thence turning and running westerly by the northerly sideline of Western Avenue to the point and place of beginning.

Taking and intending to take with the aforescribed land all fees within the area and whatever fee runs with the land in North Harvard Street and Western Avenue.

All as shown on the plan entitled, "North Harvard Project, Mass. R-54, Property Map, Boston Redevelopment Authority, Boston, Suffolk County, Massachusetts".

The following parcels of land are taken by this Order of Taking:

<u>Block</u>	<u>Parcel</u>
3A	1
3A	2
3A	3
3A	4
3A	5
3A	6
3A	7
3A	8
3A	9
3A	10
3A	11
3B	1
3B	2
3B	3
3B	4

<u>Block</u>	<u>Parcel</u>
3B	5
3B	6
3B	7
3C	1
3C	2
3C	3
3C	4
3C	5
3C	6
3C	7
3D	1
3D	2
3D	3
3D	4
3D	5
3D	6
3D	7
3D	8
3D	9
3D	10
3D	11
3D	12
3D	13
3E	1
3E	2
3E	3
3E	4

REGISTERED LAND PARCELS WITHIN PROJECT AREA

Address: 8 Harvium Road

Certificate No.: 67585, Suffolk Land Registration
Book 333, Page 185

Owner: President and Fellows of Harvard College,
a Massachusetts Corporation

Purpose of Taking: Urban Renewal Area

Address: 16 Smith Street

Certificate No.: 21759, Suffolk Land Registration
Book 104, Page 159

Owner: Estate of Anglina Vatalaro, Suffolk Probate
No. 373803

Purpose of Taking: Urban Renewal Area

Address: 120 North Harvard Street

Certificate No.: 17708, Suffolk Land Registration
Book 84, Page 108

Owner: John F. O'Loughlin and Agnes S. O'Loughlin
(husband and wife)

Purpose of Taking: Urban Renewal Area

Address: 50 Smith Street

Certificate No.: 42582, Suffolk Land Registration
Book 208, Page 182

Owner: Josephine R. Nevin
(Married to Donald Nevin)

Purpose of Taking: Urban Renewal Area

Address: 12 Hefferan Place

Certificate No.: 72329, Suffolk Land Registration
Book 357, Page 129

Owner: Herbert R. Brazio & Maeyrchev Basso
(husband and wife)

Mortgage: Rebecca Levine & Mary Sokolov (te)

Purpose of Taking: Urban Renewal Area

<u>Street Address</u>	<u>Supposed Owners</u>
136 North Harvard St.; 4 Harvium Rd.	William J. Jenkins and Annie T. Jenkins
8 Harvium Rd.; 10 Harvium Rd.; 1-3 Stadium Place	President and Fellows of Harvard College
17 Stadium Place	Leonard Vaccaro and Eleanor B. Senatore, Admin. Mrs. Mary Palermo
16 Smith St.	Angelina and Antonio Vatalaro, Admin. Mrs. Mary Palermo
120 North Harvard St.	John F. and Agnes L. O'Loughlin
8 Stadium Place	John J. and Phyllis P. O'Loughlin
10 Stadium Place	Francis J. and Geraldine A. Bakke
18 Stadium Place	Estate of Antonio Bruno
20 Stadium Place	President and Fellows of Harvard College
30 Smith St.	Edward W. and Annie C. Kemp
32 Smith St.	Paul C. and Katherine D. McNamara
34 Smith St.	Helen Lawson and John J. Stafford
38 Smith St.	Norman L. and Lillian M. O'Loughlin
40 Smith St.	Edward W. and Eleanor C. Shea
42 Smith St.	Constance Bratko
48 Smith St.	Francis A. and Mary A. Durward
50 Smith St.	Josephine R. Nevin
Smith St. and Western Ave.	Massachusetts Bay Telecasters, Inc.
149 Western Avenue	President and Fellows of Harvard College
151 Western Avenue	Nicholas J., Vincent J., Angelo J. and Alphonse R. DeRosa

Commonwealth of Massachusetts
Suffolk, ss.

Land Court

I hereby certify that the foregoing is a true copy—duplicate—of Document No. 269347
registered November 23, 1964 at 3:08 o'clock P. M.
and noted on Certificate of Title No. s.17708 and Sundry Certs.
Book 84 page 108 etc. in Suffolk County Registry District. and recorded with
Suffolk Deeds Book 7904 page 470.

In witness whereof, I have hereto set my hand and affixed the seal of said

Court, this 8th day of December A. D. 1964
Edward V. Cady
Acting Assistant Recorder.

Address: 4-6 Hefferan Place
Certificate No.: 72009, Suffolk Land Registration
Book 356, Page 9
Owner: Herbert R. Brazao & Maryrose Brazao
(husband & wife)

Mortgage: Alice S. Mattson, Quincy
Purpose of Taking: Urban Renewal Area

Address: 8 Hefferan Place
Certificate No.: 67553, Suffolk Land Registration
Book 333, Page 153
Owner: President and Fellows of Harvard College
Purpose of Taking: Urban Renewal Area

Address: 9 Hefferan Place
Certificate No.: 72554, Suffolk Land Registration
Book 358, Page 154
Owner: Francis A. DiMeo & Mary C. DiMeo
(husband and wife)
Mortgage: Mary Randelunas, 12 Waverly St., Brighton
Purpose of Taking: Urban Renewal Area

Address: Hefferan Place
Certificate No.: 67553, Suffolk Land Registration
Book 333, Page 153
Owner: President and Fellows of Harvard College
Purpose of Taking: Urban Renewal Area

Address: 155-157-159 Western Avenue
Certificate No.: 72009, Suffolk Land Registration
Book 356, Page 9
Owner: Herbert R. Brazao and Maryrose Brazao
(husband and wife)
Mortgage: Alice S. Mattson, Quincy
Purpose of Taking: Urban Renewal Area

and

Address: Part of 155-157-159 Western Avenue
Certificate No.: 72010, Suffolk Land Registration
Book 356, Page 10

Address: Smith St. & Western Avenue

Certificate No.: 63463, Suffolk Land Registration
Book 313, Page 63 ✓

Owner: Massachusetts Bay Telecasters, Inc.,
a Massachusetts corporation

Mortgage: (1) Herbert L. Berman
30 Ellis Rd., Newton
and
Garret S. Hoag
131 Glen Rd., Wellesley
Trustees for Rockland Atlas National Bank

(2) Herbert L. Berman and Garrett S. Hoag,
Trustees for State Street Bank and
Trust Company

Purpose of Taking: Urban Renewal Area

Address: 149 Western Avenue

Certificate No.: 67571, Suffolk Land Registration
Book 333, Page 171

Owner: President and Fellows of Harvard College

Purpose of Taking: Urban Renewal Area

Address: 151 Western Avenue

Certificate No.: 52227, Suffolk Land Registration
Book 257, Page 27

Owner: Nicholas J. Frasso, sometimes known as
Nicolas Frasso, Angelo J. Frasso,
sometimes known as Angelo Frasso,
Alphonse J. Frasso, sometimes known as
Alfonso Frasso, and Vincent James Frasso,
sometimes known as James Frasso

Purpose of Taking: Urban Renewal Area

SUPPOSED OWNERS

The supposed owners of the parcels of land hereby taken are as follows:

<u>Street Address</u>	<u>Supposed Owners</u>
158 North Harvard St.	David W. Shearer
162 North Harvard St.	Albert A. Redgate
164 North Harvard St.	Marjorie T. Redgate
168-176 North Harvard St.; 167 Western Ave.	Ciriaco and Annie Soricello
180 North Harvard St.	Micheline K. and John M. Faherty
182 North Harvard St.	Allen A. Drew and Albert J. Cunniff
173-175 Western Ave.; 184 North Harvard St.	Nellie V. and Elizabeth G. Burke
169-171 Western Ave.	Philomena Soricelli
2 Heffernan St.	Herbert R. and Mary Rose Brazao
4-6 Heffernan St.	Herbert R. and Mary Rose Brazao
8 Heffernan St.	President and Fellows of Harvard College
140 North Harvard St.	George H. Fabizio, Tr. of C. F. Realty Co.
144 North Harvard St.	John and Henry F. McGinn
148 North Harvard St.	Florence E. McSweeney
152 North Harvard St.; 17 Heffernan St.	Richard and Eunice Hollum
9 Heffernan St.	Francis A. Dimeo et ux
6-Smith St.; 5 Heffernan St.; 2-4 Smith St.; Harvium St.	President and Fellows of Harvard College
155-159 Western Avenue	Herbert R. and Mary Rose Brazao
128 North Harvard St.	Loretta A. O'Connell
130 North Harvard St.	Alfred L. and Ida S. Gilbert
132 North Harvard St.	Delia and James H. Erwin

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

NORTH HARVARD URBAN RENEWAL AREA

AWARD OF DAMAGES

Awards for ORDER OF TAKING dated NOV. 19 1964 are
as follows:

<u>Block</u>	<u>Parcel</u>	<u>Damages Awarded</u>
3A	1	\$ 5,000
3A	2	4,000
3A	3	2,000
3A	4	10,000
3A	5	5,000
3A	6	2,500
3A	7	10,000
3A	8	8,000
3A	9	5,000
3A	10	8,000
3A	11	200
3B	1	6,000
3B	2	4,000
3B	3	5,000
3B	4	6,000
3B	5	5,000
3B	6	5,000
3B	7	16,000
3C	1	4,000
3C	2	6,000
3C	3	4,000
3C	4	4,000
3C	5	20,000
3C	6	2,000
3C	7	5,000
3D	1	6,000
3D	2	2,500
3D	3	6,000
3D	4	6,000
3D	5	4,000

<u>Block</u>	<u>Parcel</u>	<u>Damages Awarded</u>
3D	6	\$ 2,500
3D	7	2,500
3D	8	2,500
3D	9	2,000
3D	10	2,000
3D	11	7,000
3D	12	8,000
3D	13	5,000
3E	1	13,500
3E	2	3,000
3E	3	4,000
3E	4	34,000